

EXHIBIT “O”

Interviewee: Yes, I can.

Interviewer: Hi, how are you?

Interviewee: I'm good. How are you?

Interviewer: [inaudible 00:00:05] I'm great. So, sorry I am a couple minutes late signing on. My name is Chantelle Cleary.

Interviewee: Mm-hmm.

Interviewer: [inaudible 00:00:13] And I'm the University's Title IX Coordinator. With me is Vanessa Bentley, she's one of the investigators here at Cornell. And this is Jerry Stedinger, he is the Faculty Co-Investigator in this case. All right?

Interviewer: So we really appreciate you taking time to chat with us today. The three of us are investigating a case ... or, investigating a report that alleges that a member of our faculty engaged in a violation of University policy 6.4. University policy 6.4 is the policy that prohibits any sexual or related misconduct.

Interviewee: Right.

Interviewer: And so, we ... During the course of our investigation your name has come up as somebody who may have information that's relevant to our investigation, so we're hoping you'd be willing to speak with us today.

Interviewee: Yeah.

Interviewer: Okay. Our conversation is being recorded, so there's a recorder going here. The reason that we record the conversation is so that, first, we can actively listen, we don't have to all take notes, second is so that we're properly documenting and memorializing our conversation. And also, it gives the parties to the complaint, both the person who's reported that they've had this experience, as well as the person who's being accused of engaging in the conduct, an opportunity to have an understanding of all of the evidence in the case.

Interviewer: Does that make sense?

Interviewee: Yes.

Interviewer: Okay. So if you do choose to speak with us, and I'm hearing you say that you're okay with chatting with us today, your honesty is both appreciated and expected. We are going to transcribe our conversation today at the conclusion of our conversation, and we'll provide you with both a copy of the transcript

and the recording. That will give you an opportunity to review to make sure the transcript is accurate, and to provide any clarifications if that's necessary.

Interviewee: Okay.

Interviewer: Okay? So do you know why we're reaching out to you today?

Interviewee: Yeah.

Interviewer: Okay. And do you have any questions for us before begin?

Interviewee: No.

Interviewer: Okay. So maybe if you can just start letting us ... or, helping us understand what your understanding is of why we've reached out to you today.

Interviewee: So I know my friend [REDACTED] was the one who filed the complaint against one of the professors in the hotel school, and I know they were the professor's really close with most of the students, and she was very close with him initially, where her and this other girl Lynette were very close with him. And I saw them in [inaudible 00:02:54], he's always very nice to people.

Interviewee: So I know during one of the events, during HEC weekend event ... she told me this after ... she said that they were in a dark room, I believe, and she said that he had touched her, her back ... her butt, so ...

Interviewer: Okay. All right. So if it's okay with you, I'd like to go ... take a step back before HEC weekend.

Interviewee: Sorry, what?

Interviewer: I'd like to talk to you about the period of time before HEC weekend.

Interviewee: Okay.

Interviewer: Okay. Prior to HEC weekend, had you ... Or, how long had you known [REDACTED]?

Interviewee: I've known [REDACTED] since freshman year, but we didn't really ... we weren't close friends freshman year. We didn't become close until this past year when we actually had classes together.

Interviewer: And help me understand "close".

Interviewee: We used to just chat in class and stuff, now we hang out, we're always at my apartment. Because we happen to be in a group for Restaurant Management together, so we always hang out at [inaudible 00:04:04], even after classes, and then we just hung out together.

Interviewer: Okay. And prior to HEC weekend, can you help us understand any observations that you made yourself of [REDACTED] and this professor interacting with each other?

Interviewee: It was always ... They were always very friendly, always talking. He always had his hand on her shoulder or something, but I noticed that he did that with almost all the students that he was close with.

Interviewer: Okay.

Interviewee: Or seemingly close with. I know none of us had him as a professor, we just know him.

Interviewer: And just to be clear, when you say "this professor", who are you speaking of?

Interviewee: Giuseppe.

Interviewer: Okay. Now, how often did you see [REDACTED] and Giuseppe interacting prior to HEC weekend?

Interviewee: I can't recall exactly how often, it's every single time ... I can't put a ... how many times a week or something, but I will ... I vividly recall seeing Giuseppe a lot around, once I got into Restaurant Management, because he was always on that floor walking around. And he always came into the Restaurant Management class as well.

Interviewer: Tell me more about that.

Interviewee: So, he'd just come in and say hi to everyone. At the time, [REDACTED] and I were in a group, so she was doing front of house and I was doing back of house for our management night. So our areas were separated, so I didn't really see the interaction during that time in Restaurant Management. I just know the before ... when we're outside of class.

Interviewer: Okay. Now, prior to HEC weekend, did you ever ... Let me ask this a different way. Prior to HEC weekend, do you have an opinion as to whether or not Giuseppe knew [REDACTED] name?

Interviewee: Yes.

Interviewer: Okay. And what is that opinion?

Interviewee: No. I know that they ... she knew his name, he knew her name. They were always talking about something, I just never bothered to interact with them together, or anything.

Interviewer: Okay. Did you ever hear him call her by name, prior to HEC weekend?

Interviewee: No.

Interviewer: Okay. Now, when you say they were always talking about something, can you tell us a little bit more about that?

Interviewee: It usually would just be normal conversation, like, "How is your day?" type of thing, [REDACTED] would just talk about her day. Random stuff.

Interviewer: Okay.

Interviewee: Nothing to do with class.

Interviewer: Okay. Prior to HEC weekend, what if any interactions did you have with Giuseppe and [REDACTED] together?

Interviewee: None. I didn't have ... I knew of Giuseppe, but I didn't know who he really was until this past semester.

Interviewer: Okay.

Interviewee: I'd never had interactions with Giuseppe and [REDACTED] I only know that after I ended up in a group with him ... Well, there was a couple times ... or, once or twice, where he'd just come in and say hi, and [REDACTED] and I would be standing together, it just happened. But he'd just say hi to me because we weren't ... we didn't know each other.

Interviewer: Okay. So I want to just be clear, since ... because I think I might have asked a confusing question, and I apologize. So prior to HEC weekend, did you observe [REDACTED] and Giuseppe engage with each other, but you not engaged with them?

Interviewee: Right.

Interviewer: And how often was that?

Interviewee: I can't place on how often, it was just whenever Giuseppe came around.

Interviewer: Okay, all right. Now, let's talk about HEC weekend. Were you present at that weekend?

Interviewee: No, I skipped it.

Interviewer: Okay. Now, following HEC weekend, what if anything can you tell us about your interactions with [REDACTED] regarding her interactions with Giuseppe?

Interviewee: So as in ... Can you repeat that?

Interviewer: Yeah. After HEC weekend, what if anything did [REDACTED] tell you?

Interviewee: So it was after HEC, I think she waited a week before she told me this whole situation. And at that time we were coming down onto our management night, which is why she ended up telling me, because we were meeting almost every single day with each other.

Interviewer: Okay. And can you tell us a little bit about what [REDACTED] told you?

Interviewee: So all she did, she said ... she asked me if I knew Giuseppe, and I was like, "Yes, I know him. Obviously I've seen you guys interact, with Lynette as well." So ... And then she told me about how ... she said, "You know how he's really close with students?" so she didn't really think much of it until that night when initially his hand was on her back, but then it moved down further.

Interviewer: Okay. And did she describe what she meant by "further"?

Interviewee: Yeah, she said, "He ended up just grabbing my butt."

Interviewer: Okay. And help us understand a little bit about [REDACTED] demeanor when she's sharing this experience with you.

Interviewee: She just ... So she ... She didn't know how to approach it, I know she told me she didn't know if she wanted to report it, or to leave it be because he's such a well-known professor. And it's just not something that the school would even want getting out there, so she was unsure as to how to approach the situation. But her ... I could tell she was conflicted about something, it was bothering her. Because she didn't have anyone else to really talk about it with because her mom ... Asian family, were ... I understand with her our parents don't really think much of this sort of thing, where they just think, "Oh, it's school, it happened. Let it go."

Interviewer: Mm-hmm.

Interviewee: Type of thing.

Interviewer: Okay. And how did [REDACTED] appear emotionally during your conversation with her?

Interviewee: How did she appear ...?

Interviewer: Emotionally.

Interviewee: Emotionally? She just ... Almost like she couldn't really express anything.

Interviewer: Tell me more about that.

Interviewee: She just kept a straight face, avoided eye contact, and just talked about it.

Interviewer: Okay. What did you say to her in response to what she shared with you?

Interviewee: I just said, "I think you should report it," I didn't really have much to ... I don't know anything else, what she should do about the situation besides ... the only thing she could do was to report it.

Interviewer: Okay.

Interviewee: And to avoid contact with him.

Interviewer: Okay. Michelle, following [REDACTED] ... following your conversation with [REDACTED] about her experience HEC weekend, did you have an opportunity to observe her and Giuseppe interact again?

Interviewee: She avoided him-

Interviewer: Tell me more about that.

Interviewee: She completely avoided him, so every single time we saw him ... There was one time we were actually eating at a friend's establishment night, and he came into the room, and she had a view of him and she just stopped talking, was like, "He came into the room." And we asked if she wanted to switch seats so that she didn't have to see him outside ... She was facing towards the outside of ... I mean, the hallways of the school, and I was facing towards the outside of the school, towards the Johnson Building. And we asked her if she wanted to switch seats so that she didn't have to see him, and she's like, "No, I'd rather keep an eye on where he's going and stuff."

Interviewee: And then, there was another time where we were going to our Restaurant Management class and she saw him on the second floor, and she said, "Let's take the long way around." But then ... We were going to go by him regardless, so she said, "Let's just run in."

Interviewer: Okay.

Interviewee: And after that, she goes ... I've seen them ... I'm always with her when she [inaudible 00:12:12] him, and it's just a simple, "Hi," and she says nothing else [crosstalk 00:12:15] walking away.

Interviewer: All right. Now, do you know what date the HEC weekend was?

Interviewee: It was in March.

Interviewer: Okay. Was it early March or late March, if you recall?

Interviewee: [inaudible 00:12:32] ... Because I skipped it. It was middle of March at some point.

Interviewer: Okay. I want to direct your attention to, and this might sound weird because it's been a while, but March ... on or about March 22nd of 2019.

Interviewee: Mm-hmm.

Interviewer: I believe ... Or, the information that I have is that you may have had Restaurant Management class that night, and that you were with [REDACTED]. Do you recall an encounter between [REDACTED] and Giuseppe where there was some physical contact in Restaurant Management class, on or around March 22nd of 2019?

Interviewee: There was one class where I believe I was being a runner, so I was in the kitchen as well, and she was EXPO, so she was doing the ... She just marked off the orders that came in so that they could keep track of it. And Giuseppe came in and she was just off [inaudible 00:13:25], he only put her ... his hand on her shoulder, I believe, and ... but that was it.

Interviewer: Okay. And was that before or after the HEC weekend?

Interviewee: That was after, because she was ... she wouldn't engage in a conversation with him.

Interviewer: Okay. Let me take a quick step back. So you're in this class, did you observe Giuseppe enter the classroom?

Interviewee: Not when I was a runner, not that ... not when he came into the Restaurant Management.

Interviewer: All right. Did you actually, with your own eyes, observe Giuseppe and [REDACTED] interact that night [crosstalk 00:14:02]-

Interviewee: Yes, because I was standing in front of her, and she had already told me, so she was making faces at me, right as soon as he was leaving.

Interviewer: Okay. What interaction did you observe yourself between Giuseppe and [REDACTED] that day? Other than [REDACTED] faces, what else did you observe?

Interviewee: She just cut the conversation with him. She was very straight to the point, said one word answers.

Interviewer: Okay. Did you ... When you first observed them, were they already standing together, or did you actually see one of them approach the other?

Interviewee: I saw him come in and approach, because ... Well, I didn't see him come in, he came ... my back was to the door that you enter in, so [REDACTED] was standing right in front of me because I'm not supposed to stay on the kitchen side, she was standing ... So we were both standing at the counter, because that's where the

food comes out to. So I was facing her and having conversations with her when he came in and came to the side of the table.

Interviewer: Okay, and what happened next?

Interviewee: He started saying hi to [REDACTED], and asking how she was, and she's just like, "Good."

Interviewer: Okay.

Interviewee: [inaudible 00:15:10]

Interviewer: Did he ... Did you hear him ask her any other questions or say anything else to her?

Interviewee: It was very short, I don't remember anything else that he said. But she said afterwards, she's like, "I think he knows that I'm not happy with him."

Interviewer: Okay. But before getting into what you discussed with her after ... So you ... you've described that he approached her, asked her how she was, she said, "Good." What else did you observe during that encounter?

Interviewee: She refused to make eye contact with him.

Interviewer: Okay. What if anything did you observe about his physical conduct?

Interviewee: He was still trying to be normal, like it was all ... like nothing ever happened. So it was still just a hand on the shoulder.

Interviewer: Okay. And did you have an opportunity to observe [REDACTED] reaction when Giuseppe put his hand on her shoulder?

Interviewee: She just stared at me.

Interviewer: Okay. What happened next?

Interviewee: He just walked away.

Interviewer: Okay.

Interviewee: And started saying hi to other people.

Interviewer: Okay. And then what happened, after Giuseppe walked away?

Interviewee: I was just like ... I asked [REDACTED] if she was good, and she was like, "Yeah. I think he knows something's up."

Interviewer: Okay. Any other situations or encounters between [REDACTED] and Giuseppe that you able to observe after that incident?

Interviewee: It was just the Restaurant Management one that I talked about earlier, and then the one in the hallway.

Interviewer: Tell me about the Restaurant Management one again.

Interviewee: The one where she was facing towards the outside ... or, towards the hallway of the school, I was facing the outside of the school, and she saw him come in. And then I asked her if she wanted to switch seats so that she didn't have to look at him or anything, and said, "No, I'd rather keep an eye on him."

Interviewer: Okay. And then, you mentioned an incident in the hallway, tell me about that.

Interviewee: The hallway. We saw ... We were going to Restaurant Management class and we saw him on the second floor, and we needed to ... he was in front of Restaurant Management, so I didn't think there was any way around it, but she said, "Let's go the long way," so that we could avoid ... see if we could avoid him. But we realized he was just going to be standing there talking to someone, so we ... she asked to run right in, so we ran by him.

Interviewer: Okay. Any other interactions between them, at that point?

Interviewee: No.

Interviewer: Okay. And when you ran by him, what was he doing?

Interviewee: He was talking to someone else.

Interviewer: Okay. All right.

Interviewer: Do you have any questions? No? Do you have any questions?

Co-Investigator: No.

Interviewer: All right. Michelle, I don't know that I have any other questions for you. Do you have any questions for us?

Interviewee: No.

Interviewer: Okay. All right. So like I said, we're going to ... we appreciate you taking the time to speak with us today. We're going to make a transcript of this and we'll send that to you via email in the next couple days, and we'll ask you to look that over and just to respond back to us at your earliest convenience.

Interviewee: Okay.

Interviewer: Okay? If you have any questions after we get off, or sign off today, please feel free to just email me. Or if you have any questions once you receive your transcript and you need to chat with someone, just feel free to reach out.

Interviewee: Okay.

Interviewer: Okay?

Interviewee: All right.

Interviewer: The last thing I do want to tell you is that the University has a strict prohibition against retaliation, that retaliation prohibition is both a protection and an admonition. So if you feel as if somebody is engaging in any retaliatory conduct against you for your participation in this investigation, please let us know.

Interviewer: Retaliation is any adverse action taken against a person for their participation in an investigation of this kind, an adverse action could be anything from threats to intimidation, to attempting to adversely affect your ability to live, work, or learn successfully here at Cornell, or outside the Cornell community.

Interviewer: Okay. so if you feel as if ... and I don't expect that you will ... but if you feel as if you're experiencing retaliation, please let us know.

Interviewee: Okay.

Interviewer: All right? And alternatively, we'll ask you not to engage in any retaliation.

Interviewee: Yes.

Interviewer: Okay? And then, finally, we do ... we also ask all folks if they could keep this matter confidential, and not share the contents of our conversations with anybody. We ask that because we're trying to protect both the privacy of [REDACTED] and of Giuseppe.

Interviewee: Right.

Interviewer: Okay?

Interviewee: Yep.

Interviewer: Okay. Any questions for us?

Interviewee: Nope, I'm all set.

Interviewer: All right. Thank you Michelle.

Interviewee: Of course. Thank you.

Interviewer: Have a good day.

Interviewee: You too.

Interviewer: Bye.

Interviewee: Bye.

Interviewer: We're still going, so just give me a second.